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ISEA

ISEA NEWS

REPRESENTING TEACHING AND NON-TEACHING STAFF IN INDEPENDENT SCHOOLS

## From the Membership Support Officer's Casebook



### Employment Agreements

I have several times recently been asked for information about the process for being appointed to a position in one of our schools. A reminder therefore:

All employees, whether they are being offered an individual or a collective agreement, **must** have an employment agreement **in writing**.

Where there is a collective agreement in the school, employees must be told about it, and be employed for the first 30 days on the conditions of the collective. If they wish to continue being part of the collective, they must join the union, when they will automatically be covered by the collective agreement. In this case, the school is also required to tell a new employee about the union and how to join it.

If there is no collective, there must be an individual employment agreement **in writing**. In this case any new employee must be given time to consult an outside adviser about the agreement before signing it. **If this does not happen, the agreement is not valid.** This is a service we are happy to provide for members and potential members. Just contact [mferguson@isea.org.nz](mailto:mferguson@isea.org.nz)

We note that some employers are offering two documents, a collective and an individual, for the new staff member to make a choice. It is vital that existing staff members make sure any new person is told about a collective agreement if there is one, and invited to join the union. There is a risk that new staff, not understanding the implications, and believing the school is indicating a preference, will accept the individual agreement immediately. Even so, they may still change their mind at any time. Any staff member will automatically be covered by the collective on becoming a union member.

We believe strongly in the importance of collegiality in schools, which is easily achieved when all staff are covered by the collective agreement, and are union members. Many schools will not come back to ask about a new staff member's preference, but will simply allow the individual agreement to remain in place. The main reason why employees do not join unions is because nobody asks them or checks that they know how to do it, and what are the advantages and benefits.

### 90 Day Law

In recent months I have several times become aware that some of our schools are keen to use the 90-day law when employing new staff, particularly support staff. Note that this law cannot be used unless both parties agree. Obviously if someone really needs a job, they will agree to anything! However, I cannot emphasise strongly enough that we believe such an approach does not have a place in a school, where continuity is so important. If a new employee proves to be not satisfactory, there are other ways of dealing with this, rather than simply dismissing them without reason.

Mairi Ferguson



Support Staff Representatives at Diocesan School for Girls, Auckland work through their latest collective agreement with Mairi Ferguson, Membership Support Officer. Left to right, Chris Wilson, Mairi Ferguson, Diana Crowe.

### ANNUAL GENERAL MEETING

The Annual General Meeting of ISEA will be held at Dilworth School, [Senior Campus], 3 Erin Street, Epsom, Auckland at 3.00pm on Saturday 6<sup>th</sup> August 2011. Drinks and nibbles will be served and all ISEA members are cordially invited to attend. Come along and meet your new C E O, Deborah Rattray

## FROM THE CHIEF EXECUTIVE OFFICER



As mentioned in our recent E-News it has been wonderful to meet members as we continue to negotiate collective agreements and support individuals. It has also been a pleasure to be able to promote ISEA to our State school colleagues as they consider making the move to teach and work in Independent schools. It is vital that new staff are encouraged to join ISEA particularly in light of the changes the current government have in mind to implement, with regards to employment law, if they are re-elected.

### Remember your 'honeymoon'?

I ask you all to cast your minds back to when you first began working at your school. It is a wonderful time in one's life when one is "chosen" to be part of a new staff, it's exciting and there can almost be a feeling of invincibility as the honeymoon period of the employment relationship begins! You feel safe in signing an individual employment agreement and you may not even be aware that a collective agreement exists at your school. I mention this because we receive numerous calls from teachers and support staff when things begin to go wrong and they seek our expert advice. It would have been far easier for them to have been members from the outset and, indeed, some of the issues may not have occurred if only someone had told them about joining ISEA right at the beginning. It is in everyone's interest to promote and encourage new members of staff to join our association.

### Facing the Challenges

In the past few weeks I have commented to various principals, HR personnel and Board members my strong belief that it is in everyone's interest that **staff are happy and feel valued** as this leads to happy students which ultimately leads to happy parents and grandparents (often the fee payers). As you are no doubt aware, times are challenging for all as we continue to face the facts of being part of a global financial crisis, let alone trying to cope with the effects of natural disasters as they unfold. There are implications for all as independent schools struggle to maintain their students. This should not, however, be seen as a time for teachers and support staff to concede their valued working conditions. Those of us who have worked in both the State sector and Independent do know there are different challenges involved when working in Independent schools. This is why it is so vital that there is a collective strength when employment contracts are under review. Our team at ISEA, under the expert leadership of our Membership Support Officer, Mairi Ferguson, are in the best position to negotiate effectively through this difficult period. We have the knowledge and resources to put your best interests forward. We do this most effectively with your help and those of you who 'go the extra mile' by being your ISEA Staff Representatives are the important link required. It has been good to meet some of you since I came on board and I look forward to touching base with all of you in the near future.

### Future Direction

We continue to be part of the wider Union movement which allows us to make available to you, our members, a wider range of benefits such as reduced rates for insurance, banking, fuel and

holiday accommodation to mention a few. Our newsletter on this occasion has been kindly sponsored by one of our providers, EBS (Education Benevolent Society), so please do visit their website and also pass onto any trainee teachers you may know. We are constantly in negotiations with organisations in order to enhance member benefits with the larger our membership base the larger the benefits, so if each of us brings on board one new member a year then that serves to help us all.

### Website

The ISEA website is currently undergoing review and reconstruction. I encourage you to be part of this change process, please do contact me directly if you would like to assist.

We plan to conduct a strategic review of ISEA with the assistance of an outside facilitator and welcome any feedback or suggestions you may have in order that we may better serve you, our members. There will be an opportunity for comment once the new website is in action or feel free to email me directly.

### What do you make?

As I write, the results from a poll about the most (and least!) trusted people in New Zealand has just been released. If you are asked what you make you might like to use this clip -

<http://www.youtube.com/watch?v=RxsOVK4syxU>

I am confident you will all relate to its contents and you may even like to share it with others. In the meantime, I look forward to meeting more of you at our upcoming AGM on 6<sup>th</sup> August.

Deborah Rattray

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# EBS

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## FROM THE ACTING PRESIDENT



That is the slogan that anyone going through the Airport in Christchurch will have seen over the last few years as buildings are torn down and rebuilt, layouts are changed and the parking seems to get further and further away. Not everyone has agreed during the process but the new check in areas just opened may help them be positive.

Many in our schools in Christchurch may be ruing this slogan as we move towards 8000 quakes and aftershocks in only 10 months – when will they stop? Looking around our schools with walls propped up, some familiar buildings unusable or just not there, students being taught in temporary hastily built classrooms or prefabs (even on the sacred grass turf at Christ's!), there certainly has been change.

I have been privileged to provide morning teas to staff in all our schools and be invited to visit all (but one) on behalf of members of ISEA. I expressed the support and concern of members elsewhere for their colleagues who have been under personal and professional stress due to the earthquakes.

I have been impressed by the positive response of all to this challenge. Management has had to find temporary alternative venues, parents have had to be consulted and informed, students have had to be supported as have staff. Teachers, many of whom have had their lives disrupted by their houses being damaged or by having to find other accommodation, having to cope without sewage and with bad roads, have had to rearrange teaching programmes, reassure students that their prospects for NCEA should not be too badly affected and support students generally many who have been very upset by all that has happened. Teachers at some schools have also had to cope with the stress generated by roll drops and redundancy possibilities. The importance of good collective agreements which provides with clear procedures has been highlighted.

I am left with such memories as St Margaret's having chapel and assembly in a marquee, a gap where the English building was at Christ's, a lovely green lawn at Rangi where two major teaching buildings have been demolished, a large basic but very serviceable temporary teaching block at Cathedral Grammar and at St Andrew's the original homestead building unusable and the beautiful brick chapel propped up and its fate uncertain.



Malcolm and ISEA Executive Member, Tui Elliott at the ISEA morning tea put on for staff at Rangi Ruru Girls' School.

We should all be aware that many in Christchurch will continue to be under pressure for months if not years until our city even has its basic services restored let alone schools, businesses, shops and homes re-established. Teachers there will continue to need our support.

How a change in CEO can be good was highlighted for me when in Wellington with Deborah Rattray and Bruce Owen recently to introduce her

to officials at EBS, CTU, NZEI and PPTA. It gave us a great

opportunity to redefine and refresh and strengthen our relationships. Having a fresh prospective on how we could work together will I'm sure be important.

I also reflected on change when I was in Queensland in early June. The State Government announced that all schools, government and independent, will teach year 7s (our year 8s) in high schools from 2015. This will bring Queensland into line with other Australian states.

Over only 2 1/2 years 550 new classrooms will be needed in state schools and there will be money to help independent schools. What wasn't so clear just what will happen to the primary teachers at present teaching Year 7. Jobs will be protected in state schools but the contract conditions in independent schools were much less clear and the Independent Union QIEU will be vital to assist those teachers.

Malcolm Walker

## CHEESE MAKING COMES TO THE CLASSROOM

Last year Diocesan School technology teacher, Judi Delbridge, applied for an ISEA Professional Development Grant to assist her completing a five day cheese making course. The application certainly raised some eyebrows around the Executive table, but once it was realised that the course had relevance to the curriculum the grant was agreed to.



Judi describes herself as 'a passionate foodie, home cheese maker, and technology teacher'. She has sought the challenge to develop innovative programmes across technologies to encompass the sustainability and green message, including gardening, recycling waste through worm farming and investigating 'the production of fabulous, simple, organic and inexpensive food'.

Judi completed the five day Artisan Cheese Maker course at Moon Cheese and the New Zealand Cheese School at Putaruru, with world leader in cheese making, Neil Willman. Judi found the course intensely practical, but with a theoretical component which has resulted in her gaining 8 unit standards. The course has encouraged Judi rethink and simplify her ideas for cheese making in the classroom. Cheese making requires a very strict timetable between processes; starters, rennet, cutting, hooping, and turning etc. There are also restrictions imposed by the Food Safety Authority for the production of some cheeses. So though some traditional quality cheeses cannot be made in the classroom context, there are alternatives that are safe and practical given the constraints of timetabling and facilities within the school.

Simple milk based products such as quark, ricotta, cream cheese, and yoghurt are quick, easy and satisfying to make. Haloumi, Paneer and Feta are other simple and safe options – as the curing and storage process uses brine and heat. Judi reports that the options are endless. She is happy to be contacted for more information or recipes by email: [jdbridge@diocesan.school.nz](mailto:jdbridge@diocesan.school.nz)

## A VISION FOR THE TEACHING PROFESSION - UPDATE

Last year the Education Workforce Advisory Group released a discussion document *A Vision for the Teaching Profession*. ISEA made its own submission, one of more than 900 received. At the end of April this year the Minister of Education, Anne Tolley released the Report on the public submissions.

The key themes in the submissions include:

- General support for improving the standard of initial teacher education.
- Improve connections between initial teacher education providers and trainee/beginning teachers and schools.
- Concern at the suggestion that beginning teachers undertake two years of post graduate study during their first two years of teaching.
- Support for the proposal to establish criteria for disposition to teach.
- Support for the proposal to address the balance between the number of teachers being trained and the number of placements available.
- Support for a broader range of career pathways to keep talented teachers in the classroom.
- Additional resourcing (units, non-contact time and professional development) is required to support the further development of teacher career pathways.
- There appeared to be reluctance to allow principals to reward teaching excellence. This is seen as a covert way of introducing performance pay by some.
- The Teachers Council needs to be better resourced to take on a professional leadership role.

Strong opposition to reconfigure the governance of the Teachers Council that will reduce union representation.

The full report of the public submissions can be found on the Ministry of education website.

Bruce Owen

## PROFESSIONAL DEVELOPMENT GRANT

*Applications are invited from members for the Professional Development Grant. The grant allows for support in any area of professional development that is not fully funded by other sources. Criteria for the award of the grant are on the website - [www.isea.org.nz](http://www.isea.org.nz) and click on Publications and Forms. Applications can also be made through the administrator Jill Brookes at [admin@isea.org.nz](mailto:admin@isea.org.nz).*

## COMPLAINTS FROM PARENTS & STUDENTS

Unfortunately in our schools it is all too common for staff to be called to explain a complaint received about them.

The school's approach is more often than not to protect the student, since they do not want to run the risk of losing a student in the current financial environment. For that reason they often refuse to indicate where the complaint has come from.

A recent article in the PPTA newsletter deals with precisely this issue. To quote: 'Legal advice confirms that the identity of a complainant must be provided, unless there is an exceptional set of circumstances (and evidence) which give reason for the employer to suspect that the teacher would do harm to the complainant, should the complainant's identity become known.'

There should be evidence of a clear and demonstrable threat to that complainant before an employer can claim that there are "exceptional circumstances". In the vast majority of cases there are no exceptional circumstances and therefore no reason to withhold names. It is not enough for a student complainant to claim that they risk being picked on by the teacher, if their identity be divulged.

If an employer insists on the teacher responding to the anonymous allegations, there could be a challenge to any decision reached by the employer at the conclusion of this investigation.

By not providing vital information like the identity of the complainant, an employer could very well put a teacher in a position of unfair disadvantage.'

**ISEA - Directory [general correspondence should be addressed to P O Box 95-143, Swanson, Auckland 0653]**

**Administrator: Jill Brookes**  
Ph [09] 833.9796  
Fax [09] 833.9746  
Mob 021.778713  
email: [admin@isea.org.nz](mailto:admin@isea.org.nz)



**Acting President: Malcolm Walker**  
Ph [03] 384.8105  
Mob 027.2710104  
email: [secretary@isea.org.nz](mailto:secretary@isea.org.nz)

**Membership Support: Mairi Ferguson**  
Ph [09] 277.5327  
Mob 027.3091835  
email: [mferguson@isea.org.nz](mailto:mferguson@isea.org.nz)

**Chief Executive Officer: Deborah Rattray**  
Ph [09] 410.2423  
Mob 027.4982884  
email: [drattray@isea.org.nz](mailto:drattray@isea.org.nz)

**Secretary Treasurer & South Island Support: Malcolm Walker**  
P O Box 5048, Christchurch 8542  
Ph [03] 384.8105  
Mob 027.2710104  
email: [secretary@isea.org.nz](mailto:secretary@isea.org.nz)